

**Kodiak Area Native
Association Record on Appeal**

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USAC Decision on KANA RHCP Appeal

Administrator's Decision on Rural Health Care Program Appeal

Via Electronic and Certified Mail

February 8, 2011

Mr. Roger Estelle
Information Systems Manager
Kodiak Area Native Association
3449 East Rezanof
Kodiak, AK 99615

Re: Request for Modification of FCC Forms 466 and Form 466-A
Kodiak Area Native Association, HCPs 11193, 11195, 11196, 11197, 11198, 11199

Dear Mr. Estelle:

The Universal Service Administrative Company (USAC) has completed its review of the appeal, dated August 20, 2010, you submitted on behalf of the Kodiak Area Native Association (KANA). Your appeal requests that USAC accept from KANA an amended Funding Year 2009 Form 466 and Form 466-A to reflect AT&T as its primary service provider, which would result in a recalculation of support.¹ KANA also requests that a funding commitment be issued for GCI Communications Corp. (GCI) as a secondary service provider. Upon review, USAC hereby denies the appeal with respect to recalculating support based on the AT&T circuit being the primary service and the request with respect to the GCI circuit as a secondary service.

Decision on Appeal and Explanation: Denied

During Funding Year 2008, KANA states it was under contract for 1.5 Mbps satellite service with AT&T for its six sites. The contract with AT&T expired on June 1, 2009. Funding Year 2009 began on July 1, 2009 and ended on June 30, 2010.² On April 9, 2009, prior to the contract expiration, KANA posted its Form 465 to cover services to be provided in Funding Year 2009. On November 13, 2009, following completion of the competitive bidding process, KANA states it signed a contract with GCI for 3.0 Mbps MPLS service. On June 1, 2010, KANA submitted one Form 466 for each of its locations listing GCI as the service provider. For five of its six sites, the service

¹ The appeal includes a letter to the USAC Rural Health Care Division, dated July 27, 2010. USAC is considering the information provided in that letter as part of the appeal. The August 20, 2010 letter and the July 27, 2010 letter are collectively referred to as the Appeal.

² 47 C.F.R. § 54.623(b). See also, *In the Matter of Federal-State Joint Board on Universal Service*, CC Docket 96-45, Ninth Order on Reconsideration, FCC 98-346, 14 FCC Rcd. 377, ¶. 2 (1998).

installation date listed on the Form 466 was May 12, 2010 (HCP #11197 had a service installation date of April 23, 2010). The contract with GCI stated that it is effective on the date of service installation. USAC issued funding commitments based on the service installation date to the end of Funding Year 2009 (i.e., June 30, 2010). USAC correctly calculated support for KANA based on the information provided on the FCC Forms 466 and 466-A.

Because funding for the AT&T services ended at the close of Funding Year 2008 on June 30, 2009 and the GCI services for Funding Year 2010 did not start until May 12, 2010 when GCI's services were installed, KANA had a gap in funding for services from July 1, 2009 to May 2010. During this time, KANA's 1.5 Mbps AT&T circuits remained connected and it continued to receive month-to-month services with AT&T at the same rate until the circuits with GCI were installed. KANA states that the AT&T circuits were disconnected on the same date that the GCI connection was accepted by KANA. In the Appeal, you request that KANA's Form 466s be amended to list AT&T as KANA's primary service provider or "Carrier A," and GCI as the secondary service provider or "Carrier B." The appeal states that it was an administrative oversight by KANA to show GCI as the primary service provider on the Form 466. USAC notes that no Form 466 was submitted for services provided by AT&T for the time period in question.

Block 4 of the FCC Form 466 allows a health care provider to input information for up to four carriers providing service for the same circuit. These circuits, referred to as "multi-billed" circuits, are typically multiple connections resulting in multiple bills (i.e., more than one service provider) for the same circuit. KANA states, however, that it had two distinct circuits that were provided by two different service providers (i.e., AT&T provided satellite services; GCI provided MPLS services). If the circuits at issue were multi-billed circuits, KANA should have listed AT&T as one of the carriers on its Form 466 as Carrier A and GCI as Carrier B. KANA's circuits are not multi-billed circuits, thus the request to amend the Form 466 to reflect a Carrier A and Carrier B is not applicable. Therefore, the appeal with respect to amending the Form 466s to reflect GCI as a secondary (Carrier B) provider is denied.

KANA states in its appeal that its listing of GCI as its service provider for Funding Year 2009 was in error. The 2009 funding year closed on June 30, 2010. USAC is not authorized to accept a new Form 466 from KANA to cover this time period for which it states AT&T was providing services because USAC is not authorized to waive the filing deadline established by the FCC.³ Therefore your appeal to receive funding for the time period in which AT&T was providing services is denied.

³ See *Rural Health Care Support Mechanism*, WC Docket No. 02-60, Second Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 04-289, 19 FCC Rcd 24613, ¶34 (2004).

Ms. Roger Estelle
February 8, 2011
Page 3 of 3

If you wish to appeal this decision, you may file an appeal with the FCC. Detailed instructions for filing appeals are available at:

<http://www.usac.org/rhc/about/filing-appeals.aspx>.

Sincerely,

USAC

KANA Appeal to USAC

**KODIAK
AREA
NATIVE
ASSOCIATION**

Office of the President and CEO

3449 Rezanof Drive East
Kodiak, Alaska 99615
Phone 907.486.9800
Fax 907.486.1331
President@kanaweb.org
www.kanaweb.org

August 20, 2010

Rural Health Care Division
Universal Service Administrative Company
2000 L Street, NW, Suite 200
Washington, DC 20036

RE: **APPEAL**

RHC Name: Kodiak Area Native Association
HCP Numbers: 11193, 11195, 11196, 11197, 11198, 11199
Contact: Tammy Hansen, Vice President of Health Services
3449 East Rezanof Drive
Kodiak, AK 99615
Phone: (907) 486-9874; Fax: (907) 486-9898
Email: tammy.hansen@kanaweb.org

Dear Sir or Madam,

Please accept this letter of appeal regarding the funding commitments for FY 2009 to the Kodiak Area Native Association ("KANA") for FCC Forms 466 and Form 466-A which were filed on June 1, 2010.

KANA received funding commitments dated August 13, 2010 for Funding Year 2009 for each of its HCPs, which reserved funding for services provided by KANA's primary service provider, which was incorrectly listed as General Communications, Incorporated ("GCI"). KANA's primary service provider for FY 2009 was actually AT&T.

On July 27, 2010, and again on August 3, 2010, KANA notified the Rural Health Care Division of USAC of errors in the original FCC Forms 466 and 466A which were filed on June 1, 2010 which affected the Primary Service Provider. The attached letter was submitted to the RHC-Administration Office on July 27, 2010 and again on August 3, 2010 after no response. The letter was sent at the direction of the Appeals Office of the Rural Health Care Division of USAC following inquiries made by KANA about how to amend Service Carriers "A" and "B" listed on Forms 466 and 466A that were filed on June 1, 2010. KANA was instructed by the RHC appeals office that the request being made was simply an amendment to the information already submitted, not an appeal since funding commitments had not yet been made.

The attached letter describes KANA's original request for amendment to its FCC Forms 466 and 466A which was made in July. The amendments that were requested were not made, nor was KANA notified

KANA-000004


of a decision to deny its request for amendment. Subsequently, funding commitments were issued for the incorrect primary service provider.

Kodiak Area Native Association respectfully requests the Rural Health Care Division of USAC make the requested amendments to KANA's FCC Forms 466 and 466A that are outlined in the attached letter and issue new funding commitments for AT&T as the primary service provider, "Carrier A". Additionally, Kodiak Area Native Association requests that the funding commitment that was issued for General Communication, Inc. be honored as reserved funding for KANA's secondary service provider, "Carrier B".

Please feel free to contact me with any questions you may have about this request or KANA's Health Care Providers Universal Service Funding Request and Certification Forms.

Thank you.

Sincerely,



Andy Teuber,
President & CEO

**KANA Request for
Amendment of Funding Year
2009 FCC Forms 466 and
466-A**



Office of the President and CEO

3449 Rezanof Drive East
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Phone 907.486.9800
Fax 907.486.1331
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www.kanaweb.org

July 27, 2010

Rural Health Care Division
Universal Service Administrative Company
2000 L Street, NW, Suite 200
Washington, DC 20036

RE: **RHC Name:** **Kodiak Area Native Association**
 HCP Numbers: **11193, 11195, 11196, 11197, 11198, 11199**
 Contact: **Margie Bezona, Senior Administrative Officer**
 3449 East Rezanof Drive
 Kodiak, AK 99615
 Phone: (907) 486-9816; Fax: (907) 486-9898
 Email: Margie.Bezona@kanaweb.org

Dear Sir or Madam,

Please accept this letter of request for amendment to the Kodiak Area Native Association's ("KANA") FCC Forms 466 and Form 466-A for FY 2009 which were filed on June 1, 2010.

Historically, KANA has filed for and been granted USAC subsidies for all of its HCPs without difficulty. Unfortunately, due to a change in service provider and delays in the transition from one provider to the next during this last year, the FCC Forms 466 and 466-A that were submitted on June 1, 2010 did not reflect completely accurate information for the primary service provider used during Fiscal Year 2009.

The primary service provider for FY 2009 was AT&T, and not General Communications Incorporated ("GCI") as indicated in Block 4 "Connection Information" of the FCC Forms 466 and 466-A that were filed with you. This oversight was entirely administrative, however the implication is considerable.

KANA is respectfully requesting that you allow an amendment to the FCC Forms 466 and 466A that were submitted on June 1, 2010 to reflect the primary service provider ("Carrier A") as AT&T for Fiscal Year 2009 for each of KANA's HCPs listed at the top of this letter. GCI Communication Corporation should have been listed as "Carrier B".

KANA requests that the following information be added to Block 4, Column 1 "Carrier A", lines 21- 44 of the FCC Form 466:

Line 21: Service Provider Name:	AT&T Communications – Alascom Inc.
Line 22: Service Provider Identification Number (SPIN):	143005617
Line 23: Service Provider Contact Person Name:	Janet Schmid
Line 24: Service Provider Contact Person's Phone #:	312-364-7354
Line 25: Service Provider Contact Person's email:	js1474@att.com
Line 26: Circuit Start Location:	HCP 11193 – Port Lions Clinic HCP 11195 – Ouzinkie Clinic HCP 11196 – Akhiok Clinic HCP 11198 – Old Harbor Clinic HCP 11199 – Larsen Bay Clinic
Line 27: Circuit Termination Location:	Kodiak, AK
Line 28: Billing Account Number:	8002-080-7113
Line 29: Tariff, Contract or other doc reference number:	MA 106893
Line 30: Date Contract Signed:	06/01/2007
Line 31: Contract Expiration:	06/01/2009
Line 32: Service Installation Date:	HCP 11193 – 08/31/2007 HCP 11195 – 06/23/2004 HCP 11196 – 10/31/2007 HCP 11198 – 02/14/2001 HCP 11199 – 11/09/2004
Line 33: Actual Rural Rate per Month:	HCP 11193 – 8634.40 HCP 11195 – 2989.61 HCP 11196 – 2965.56 HCP 11198 – 3000.35 HCP 11199 – 3000.35

Additionally, the following amendments to FCC Form 466-A for HCP# 11197 are requested:

Line 20: Service Provider Name:	AT&T Communications – Alascom Inc.
Line 21: Service Provider Identification Number:	143005617
Line 22: Billing Account Number:	8002-080-7113
Line 23: Contract Number:	MA 106893
Line 24: Date Contract signed or service selected:	06/01/2007
Line 25: Contract Expiration Date:	06/01/2009
Line 26: Expected Service Start Date:	07/23/2007
Line 29: Monthly rate charge:	597.00

Please feel free to contact me with any questions you may have about this request or KANA's Health Care Providers Universal Service Funding Request and Certification Forms.

Thank you.

Sincerely,



Andy Teuber,
President & CEO

Correspondence

From: Roger Estelle
Sent: Wednesday, November 10, 2010 11:14 AM
To: Tammy Hansen; Margie Bezona
Subject: FW: KANA Appeal

Hi,

I will be collecting the requested information and sending it to Rekha by the end of next week.

Thanks,
Roger

Roger Estelle

Information Systems manager
Kodiak Area Native Association
907-486-9809
Roger.Estelle@kanaweb.org

From: Rekha Ayalur [mailto:rayalur@usac.org]
Sent: Wednesday, November 10, 2010 9:37 AM
To: Roger Estelle
Subject: KANA Appeal

Roger,

Per our discussion today, please provide me with the following information:

1. AT&T contract expiration date
2. Monthly charges with AT&T under contract and once contract had expired (month to month charges)
3. AT&T circuit disconnection dates for all six sites
4. GCI circuit install dates (and the date GCI began billing if it is different than the install date) for all six sites

What will happen next is that I will draft the appeal decision letter and send it to our appeal's committee for review. I can't guarantee that they will agree with the recommendation to approve the appeal and reprocess the funding based on the AT&T circuit cost, but I will do my best to present your case the best I can. I would anticipate that you will hear something by the end of this year. Let me know if you have any questions in the meantime.

Best,
Rekha

Rekha Ayalur

Program Manager, Rural Health Care
Universal Service Administrative Company
2000 L Street, NW, Suite 200
Washington, DC. 20036
202-263-1607 (voice) • 202-776-0080 (fax)
rayalur@usac.org • www.usac.org

REDACTED

From: Roger Estelle
Sent: Wednesday, November 10, 2010 9:06 AM
To: Tammy Hansen; Margie Bezona
Subject: FW: KANA Appeal

Roger Estelle

Information Systems manager
Kodiak Area Native Association
907-486-9809
Roger.Estelle@kanaweb.org

From: Rekha Ayalur [mailto:rayalur@usac.org]
Sent: Wednesday, November 10, 2010 9:04 AM
To: Roger Estelle
Subject: KANA Appeal

Roger,

I'm in the process of reviewing your appeal and I want to make sure I understand the situation correctly. Feel free to forward this email to Andy Teuber since he is the one that submitted the appeal. I do not have Andy's contact information.

KANA-000010

Your Forms 466 for Funding Year 2009 were submitted on June 1, 2010 for MPLS service with GCI. The service install date is listed as May 12, 2010 so funding was issued from that day to the end of the funding year, June 30, 2010. It looks like from July 1, 2009 to May 12, 2010, you were under a contract with AT&T for Satellite service, but no Form 466/466A was submitted for this service. On July 27 and then again on August 3, you reached out to USAC to have the service provider information on the Form 466 changed from GCI to AT&T.

Your letter of appeal references "amending Carriers A and B listed on the Forms 466 and 466A;" however, the fields "Carrier A" and "Carrier B" refer to single circuits that are billed by multiple carriers. I believe that your circuit is a single circuit provided by one carrier. What needed to happen here is a Form 466/466A should have been filed for the portion of time that KANA was receiving satellite service through AT&T and then the second Form 466/466A filed for the GCI MPLS service (these are the forms you did file). Since your request to have the information changed on the Form 466/466A was not made to USAC until after the close of the funding year, there was no way for us to manually enter a new set of forms for you to cover the period of service with AT&T.

As part of the appeal process, I need to essentially build your case to present to an appeals committee. Based on the information you presented, it does not appear that USAC erred in its decision to fund KANA based on the funding request of the Forms 466/466A. Additionally, we can't simply amend the Form 466/466A for a two reasons: again, the request to modify/create a new packet was sent in after the funding year ended; and the service type, bandwidth and service provider are all different than the GCI circuits. USAC, as an administrator to the FCC does not have the authority to create forms for HCPs after the close of the funding year.

Sorry for the long email, but I'm basically looking for you to build your case so I have something to present to our appeals committee.

Let me know if you have questions.

Best,
Rekha

Rekha Ayalur

Program Manager, Rural Health Care
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have received this information in error, please notify the sender immediately and arrange for the return or destruction of these documents.

From: Tammy Hansen
Sent: Thursday, September 02, 2010 5:21 PM
To: Margie Bezona
Cc: Roger Estelle
Subject: FW: Follow up - Appeal with required attachments - Kodiak Area Native Association
Attachments: August Appeal.pdf; 1 USAC Amendment request.pdf; HCP 11199 Funding Commitment for funding year 2009 packet ID# 95138.pdf; HCP 11193 Funding Commitment for funding year 2009 packet ID# 95152.pdf; HCP 11195 Funding Commitment for funding year 2009 packet ID# 95155.pdf; HCP 11196 Funding Commitment for funding year 2009 packet ID# 95134.pdf; HCP 11197 Funding Commitment for funding year 2009 packet ID# 95126.pdf; HCP 11197 Funding Commitment for funding year 2009 packet ID# 95131.pdf; HCP 11198 Funding Commitment for funding year 2009 packet ID# 95139.pdf

I sent this follow up message to USAC today. The original appeal was dated August 20th. It was received at the PO on Monday, August 23rd and delivered on August 26th. The original did not have the funding commitments attached because we didn't have them all. I resubmitted the appeal with the attachments so they should have everything they need.

Thanks.

Tammy Hansen
Vice President of Health Services

Kodiak Area Native Association
3449 East Rezanof Drive
Kodiak, AK 99615

907-486-9874 Direct
907-486-9898 Fax
907-942-1059 Cell

From: Tammy Hansen
Sent: Thursday, September 02, 2010 3:24 PM
To: rhc-admin@universalservice.org
Subject: Follow up - Appeal with required attachments - Kodiak Area Native Association

Good afternoon,
Please accept the attached letter of appeal regarding Funding Commitments for Funding Year 2009 to the Kodiak Area Native Association (also attached) for each of its HCPs. This letter of appeal has also been mailed to you via USPS Express Mail on August 20, however, copies of the Funding Commitments were not attached at that time as we had not yet received all of the hard copies.

The attached Funding Commitments, dated August 13, 2010 and August 19, 2010 incorrectly identify General Communications, Inc. ("GCI") as KANA's Primary Service Provider. The Primary Service Provider should be AT&T.

Please feel free to contact me if you have any questions about this appeal.

Thank you for considering this important request.

Respectfully,

Tammy Hansen
Vice President of Health Services

Kodiak Area Native Association
3449 East Rezanof Drive
Kodiak, AK 99615

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REDACTED

-----Original Message-----

From: Tammy Hansen
Sent: Thursday, August 19, 2010 8:34 AM
To: Andy Teuber
Subject: Fw: Request for Correction to FCC Forms 466 and 466A

Fyi

****Sent from my BlackBerry****

----- Original Message -----

From: EMATSON <EMATSON@rhc.universalservice.org>
To: Tammy Hansen
Cc: 'jrubin' <jrubin@rhc.universalservice.org>; 'mtambur' <mtambur@rhc.universalservice.org>;
'Petroski, Edward' <EPETROS@solixinc.com>; Roger Estelle; rayalur@usac.org <rayalur@usac.org>
Sent: Thu Aug 19 08:29:32 2010
Subject: RE: Request for Correction to FCC Forms 466 and 466A

Tammy:

Again I apologize for the confusion. USAC is aware that the appeal is coming, and I am sure they will work quickly to resolve it.

If you have any additional questions please do not hesitate to contact me.

Elizabeth G. Anderson
Manager, RHC Program Integrity Assurance
800-229-5476

From: Tammy Hansen [<mailto:Tammy.Hansen@kanaweb.org>]
Sent: Wednesday, August 18, 2010 3:03 PM
To: EMATSON
Cc: jrubin; mtambur; Petroski, Edward; Roger Estelle
Subject: RE: Request for Correction to FCC Forms 466 and 466A

Good afternoon Elizabeth,

Thank you for the follow up. There is still some confusion about this issue that I hope can be quickly resolved through the appeals process, if that is the only option. KANA was told by the RHC Appeals Office that our request to correct the primary service provider listed on our FCC forms 466 and 466A that were submitted on June 1, 2010 did not need to be done as a formal appeal because a funding commitment had not yet been made. We were directed to make a request for amendment. We made the request as instructed on July 27, 2010 and again on August 3, 2010, after no response. Subsequently, funding commitments were issued on August 13th reserving funds for the wrong primary service provider.

It's unfortunate that we now need to go through a lengthy appeals process to correct this error, but I will certainly comply with your instructions and hope to hear from you if there is anything more that is needed to facilitate this important correction being made.

Thank you again for your assistance. Have a good day.

Tammy Hansen

Vice President of Health Services

Kodiak Area Native Association

3449 East Rezanof Drive

Kodiak, AK 99615

907-486-9874 Direct

907-486-9898 Fax

907-942-1059 Cell

From: EMATSON [<mailto:EMATSON@rhc.universalservice.org>]
Sent: Wednesday, August 18, 2010 10:17 AM
To: Tammy Hansen
Cc: 'jrubin'; 'mtambur'; 'Petroski, Edward'
Subject: RE: Request for Correction to FCC Forms 466 and 466A

Tammy:

I believe you have spoken to our reviewers on this issue. The corrections were not made, and you will need to follow thru on the appeals process. I apologize for any confusion.

If you have any additional questions please do not hesitate to contact me.

Elizabeth G. Anderson

Manager, RHC Program Integrity Assurance

800-229-5476

From: Tammy Hansen [<mailto:Tammy.Hansen@kanaweb.org>]
Sent: Monday, August 16, 2010 12:44 PM
To: rhc-admin@universalservice.org
Subject: FW: Request for Correction to FCC Forms 466 and 466A

Good morning,

I am writing to follow up on the request for correction to FCC forms 466 and 466A for Kodiak Area Native Association that was made on July 27, 2010. Could you please let me know the status of this request? If you need any additional information, please feel free to contact me.

Thank you.

Respectfully,

Tammy Hansen

Vice President of Health Services

Kodiak Area Native Association

3449 East Rezanof Drive

Kodiak, AK 99615

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907-942-1059 Cell

From: Tammy Hansen
Sent: Tuesday, July 27, 2010 5:32 PM
To: rhc-admin@universalservice.org
Subject: Request for Correction to FCC Forms 466 and 466A

Good afternoon,

I have been directed back through this process by your Appeals department to request an amendment to the Forms 466 and 466A that were submitted by the Kodiak Area Native Association on June 1, 2010. I was informed this morning by Jeffrey in the Appeals Department that our request did not need to be made in the form of an appeal, but rather a request for amendment to the existing forms. The forms that were submitted contained errors which incorrectly identified the primary Service Provider for Fiscal Year 2009.

We apologize for this inconvenience and thank you in advance for assisting in making this very important correction. Please don't hesitate to contact me if you have any questions about this request.

Thank you.

Respectfully,

Tammy Hansen
Vice President of Health Services

Kodiak Area Native Association
3449 East Rezanof Drive
Kodiak, AK 99615

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From: Tammy Hansen
Sent: Tuesday, August 17, 2010 2:10 PM
To: Andy Teuber
Subject: USAC

I talked to rep at the appeals office this morning and he was surprised to hear that we're still having trouble. He asked me to have Roger call another office since he's the only authorized rep from KANA to get additional instructions. He was told that we now have to submit a formal appeal to their letter dated August 13th that confirmed payment to GCI since they never responded to our letter of July 27th or the follow up letter to them on August 3 requesting amendment of the primary carrier to AT&T.

According to the Rural Health Care rep, the administration office now recognizes that they made an error in the letter of funding confirmation, but we still have to file an appeal that describes the amendment that we are requesting and also references the two notifications that we made to their office that went unanswered. Roger and I agree after talking to the reps that it seems that we have a much greater chance of getting the AT&T bill paid.

I'll keep you posted.

Tammy Hansen
Vice President of Health Services

Kodiak Area Native Association
3449 East Rezanof Drive
Kodiak, AK 99615

907-486-9874 Direct
907-486-9898 Fax
907-942-1059 Cell

From: Tammy Hansen
Sent: Monday, August 16, 2010 1:53 PM
To: Andy Teuber
Cc: Roger Estelle; Margie Bezona
Subject: USAC
Attachments: USAC appeal August 2010.docx

I called USAC again this morning and sent another email requesting the status of our request for amendment. Roger got a funding commitment letter this afternoon in the mail for the GCI portion only. I called the appeals office again this afternoon and left a message. I modified the request for amendment to become a request for appeal in case we need to file.

Roger and Margie are both in the loop as they are the contacts for the contract.

Thanks.
Tammy

Tammy Hansen
Vice President of Health Services

Kodiak Area Native Association
3449 East Rezanof Drive
Kodiak, AK 99615

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REDACTED

From: Tammy Hansen
Sent: Monday, August 16, 2010 11:44 AM

To: rhc-admin@universalservice.org

Subject: FW: Request for Correction to FCC Forms 466 and 466A

Good morning,

I am writing to follow up on the request for correction to FCC forms 466 and 466A for Kodiak Area Native Association that was made on July 27, 2010. Could you please let me know the status of this request? If you need any additional information, please feel free to contact me.

Thank you.

Respectfully,

Tammy Hansen

Vice President of Health Services

Kodiak Area Native Association

3449 East Rezanof Drive

Kodiak, AK 99615

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907-942-1059 Cell

From: Tammy Hansen

Sent: Tuesday, July 27, 2010 5:32 PM

To: rhc-admin@universalservice.org

Subject: Request for Correction to FCC Forms 466 and 466A

Good afternoon,

I have been directed back through this process by your Appeals department to request an amendment to the Forms 466 and 466A that were submitted by the Kodiak Area Native Association on June 1, 2010. I was informed this morning by Jeffrey in the Appeals Department that our request did not need to be made in the form of an appeal, but rather a request for amendment to the existing forms. The forms that were submitted contained errors which incorrectly identified the primary Service Provider for Fiscal Year 2009.

We apologize for this inconvenience and thank you in advance for assisting in making this very important correction. Please don't hesitate to contact me if you have any questions about this request.

Thank you.

Respectfully,

Tammy Hansen

Vice President of Health Services

Kodiak Area Native Association

3449 East Rezanof Drive

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From: Tammy Hansen
Sent: Tuesday, August 03, 2010 9:25 AM
To: hdiaz@rhc.universalservice.org
Cc: Roger Estelle
Subject: Kodiak Area Native Association Form 466 Bills
Attachments: KANA 2010-07 Invoice 279835 (2).pdf; ATT Alascom 05-01-10 bill.pdf; ATT Alascom 06-01-10 bill.pdf; ATT Alascom 07-01-10 bill USAC FY09.pdf; ATT Alascom Term Plan commitment form.pdf; KANA 2010-06 Invoice 279208.pdf; KANA 2010-06 May Invoice 279210 (2).pdf; KANA 2010-07 FY2009 Kodiak Invoice 280084.pdf; KANA 2010-07 FY2009 Port Lions Invoice 280086 (2).pdf; USAC Appeal final PDF.pdf

Good morning Ms. Diaz,
I've attached the bills that you've requested along with a copy of the letter that KANA was directed to send by Mr. Jeffrey Rubin requesting amendment to the FCC Forms 466 and 466A that were submitted on June 1, 2010.

Roger Estelle is still out of the office, so please feel free to contact me if you have any questions. Have a good day.

Respectfully,

Tammy Hansen
Vice President of Health Services

Kodiak Area Native Association
3449 East Rezanof Drive
Kodiak, AK 99615

907-486-9874 Direct
907-486-9898 Fax
907-942-1059 Cell

From: Tammy Hansen
Sent: Wednesday, July 28, 2010 10:11 AM
To: Andy Teuber; Margie Bezona
Subject: USAC appeal

I just talked to USAC regarding the bills for AT&T. They asked that I send a copy of the letter that Jeff Rubin directed along with copies of the bills for AT&T and GCI. I will send everything once I get the GCI bills.

I sent Roger a copy of the appeal letter on Monday evening. He confirmed the accuracy of the AT&T contract information and charges. I contacted AT&T to confirm the contact person along with billing info.

I sent Roger a revised copy of the letter this morning, he returned my call and said that the letter is still good, but thought we should include a copy of the contract when we submit the bills to Hazel.

I emailed the letter to USAC admin as directed by the appeals department and will work with Hazel on the billing issues.

If I don't get the GCI bills this morning, I'll send the letter along with the AT&T bills to Hazel at USAC

I'll let you know if I hear back from anyone.

Thanks.

Tammy Hansen
Vice President of Health Services

Kodiak Area Native Association
3449 East Rezanof Drive
Kodiak, AK 99615

907-486-9874 Direct
907-486-9898 Fax
907-942-1059 Cell

From: Roger Estelle

Sent: Wednesday, July 21, 2010 8:48 AM

To: 'ematson'

Subject: RE: Incorrectly filled the FCC forms 466 for HCP's 11193, 11195, 11196, 11197, 11198, and 11199 for FY09

Good day Elizabeth,

I tried to call you back but there seems to be an issue with transferring calls to your current telephone extension. I filed my FCC form 466's for all of the HCP's on June 4th and was contacted by my assigned reviewer, Hazel Diaz, on June 24th. Hazel had several questions on the submitted FCC form 466's and had requested copies of the received bids. I believed that I had filled all of the appropriate paperwork for the entire FY09 after I supplied Hazel with the information that she had requested on June 24th. If I would have known or had been told that I had to file additional forms I would have done so prior to the closing on June 30th.

Thank you for your support,

Roger

Roger Estelle

Information Systems manager

Kodiak Area Native Association

907-486-9809

Roger.Estelle@kanaweb.org

From: ematson [mailto:ematson@rhc.universalservice.org]

Sent: Wednesday, July 21, 2010 7:29 AM

To: Roger Estelle

Cc: 'jrubin'

Subject: RE: Incorrectly filled the FCC forms 466 for HCP's 11193, 11195, 11196, 11197, 11198, and 11199 for FY09

Roger:

Unfortunately, if you did not file the correct forms prior to the close of the window on June 30th you will not be able to receive funding for the carrier you did not apply for.

If you have any additional questions please do not hesitate to contact me.

Elizabeth G. Anderson

Manager, RHC Program Integrity Assurance

800-229-5476

From: Roger Estelle [mailto:Roger.Estelle@kanaweb.org]

Sent: Wednesday, July 21, 2010 10:29 AM

To: RHC-Admin@usac.org

Subject: Incorrectly filled the FCC forms 466 for HCP's 11193, 11195, 11196, 11197, 11198, and 11199 for FY09

Good day,

I have incorrectly filled the FCC forms 466 for HCP's 11193, 11195, 11196, 11197, 11198, and 11199 for FY09. Our organization signed a new service agreement (HC-243) with GCI Communication Corporation on June 24, 2009. That contract was for a three year period beginning on July 1, 2009 and ending on June 30, 2012. Due to construction and technical issues the transition from our previous service provider, AT&T Communications Alascom Inc, has continued to provide service to our HCP's until recently. I was mistakenly under the impression that I would only have to file a single FCC form 466 for each of our HCP's, which I did, and that would cover both service providers since we were under contract with GCI Communication Corp. but due to issues in moving our connections were being provided service by AT&T. After speaking with Hazel Diaz I understand I was mistaken and should have filed separate FCC forms 466 for the service that AT&T had provided during FY09. I would like to know how I can proceed and ensure that both AT&T and GCI are covered under USAC funding for the services that they have provided during FY09.

Thank you for your support,
Roger

Roger Estelle

Information Systems manager
Kodiak Area Native Association
907-486-9809
Roger.Estelle@kanaweb.org

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From: Roger Estelle

Sent: Wednesday, July 21, 2010 6:29 AM

To: 'RHC-Admin@usac.org'

Subject: Incorrectly filled the FCC forms 466 for HCP's 11193, 11195, 11196, 11197, 11198, and 11199 for FY09

Good day,

I have incorrectly filled the FCC forms 466 for HCP's 11193, 11195, 11196, 11197, 11198, and 11199 for FY09. Our organization signed a new service agreement (HC-243) with GCI Communication Corporation on June 24, 2009. That contract was for a three year period beginning on July 1, 2009 and ending on June 30, 2012. Due to construction and technical issues the transition from our previous service provider, AT&T Communications Alascom Inc, has continued to provide service to our HCP's until recently. I was mistakenly under the impression that I would only have to file a single FCC form 466 for each of our HCP's, which I did, and that would cover both service providers since we were under contract with GCI Communication Corp. but due to issues in moving our connections were being provided service by AT&T. After speaking with Hazel Diaz I understand I was mistaken and should have filed separate FCC forms 466 for the service that AT&T had provided during FY09. I would like to know how I can proceed and ensure that both AT&T and GCI are covered under USAC funding for the services that they have provided during FY09.

Thank you for your support,

Roger

Roger Estelle

Information Systems manager

Kodiak Area Native Association

907-486-9809

Roger.Estelle@kanaweb.org

From: Roger Estelle
Sent: Tuesday, July 06, 2010 5:52 AM
To: 'hdiaz'
Subject: RE: Rural Health Care Support for Funding Year 2009

Good morning Hazel,

I have attached the ACS bid along with the AT&T Alascom pricing chart that they submitted. All bids were for all of the submitted sites. The address that the Internet service is being provided is: 3449 E. Rezanof, Kodiak AK 99615. The same as our primary site.
Thank you for your support,
Roger

Roger Estelle

Information Systems manager
Kodiak Area Native Association
907-486-9809
Roger.Estelle@kanaweb.org

From: hdiaz [mailto:hdiaz@rhc.universalservice.org]
Sent: Tuesday, July 06, 2010 5:33 AM
To: Roger Estelle
Subject: RE: Rural Health Care Support for Funding Year 2009

Hi Roger,

HCP 11199, 11198, 11197, 11196, 11195, 11193----Form 466s

1) Your Form 466, Line 45, indicates that you received other bids. You must provide a copy of all bids received. If your current service provider was your only bidder for service, please confirm.

Form 466-A for HCP 11197 Packet # 95131:

- 1) Please give the complete address where Internet service is being provided.
- 2) Your Form 466, Line 45, indicates that you received other bids. You must provide a copy of all bids received. If your current service provider was your only bidder for service, please confirm.

Please forward me a bill for these services. Thank you for your help.

If you have any questions please do not hesitate to contact me.

Thanks,

Hazel Diaz
Reviewer, Rural Health Care Division of USAC

P: (973)581-5028
F: (973)599-6514
hdiaz@rhc.universalservice.org

Note: USAC RHC mailing address has changed. Effective immediately, mailed items should be sent to:

Rural Health Care Division

30 Lanidex Plaza West

Parsippany, NJ 07054

From: Roger Estelle [mailto:Roger.Estelle@kanaweb.org]
Sent: Thursday, June 24, 2010 12:07 PM
To: hdiaz
Cc: Steve Walker
Subject: RE: Rural Health Care Support for Funding Year 2009

Good day Hazel,

I have attached the contract that covers HCP 11198, 11197, 11196, 11195 and 11193.

Thank you for your assistance,
Roger

Roger Estelle

Information Systems manager
Kodiak Area Native Association
907-486-9809
Roger.Estelle@kanaweb.org

From: hdiaz [mailto:hdiaz@rhc.universalservice.org]
Sent: Wednesday, June 23, 2010 7:02 AM
To: Roger Estelle
Cc: 'Steve Walker'
Subject: Rural Health Care Support for Funding Year 2009

Hi Roger,

I am currently reviewing your application for Rural Health Care support for Funding Year 2009 (7/1/2009-6/30/2010). Please forward the following requested information. Always include the HCP number and

name in all correspondence. No further processing of your request can occur until your reply is received. **Thank you for your prompt attention to this matter. You may fax all documentation to my attention at 973-599-6514.**

HCP 11199, 11198, 11197, 11196, 11195, 11193----Form 466s

1) Total billed miles on line 18 is **zero**. I need confirmation from the service provider, of the correct billed miles or if the circuit is not mileage sensitive.

2) We are currently reviewing this packet and require a copy of the corresponding contract for the review of the funding. You have two options:

a) If you do not currently have a contract for this packet, please respond that you have no contract on file, and we will process your application as month to month service.

b) If you do have a contract, please forward it to RHC within 14 days. If we do not receive anything from you within 14 days of this email, RHC will proceed with the original documentation and process your application as month to month service.

Evergreen Contract: For the life of the contract (without any optional extension), you need not re-compete the service(s) identified above, or post Form 465, and may annually apply for support of the contracted service by filing the Funding Request and Certification Form (Form 466) and/or the Internet Service Funding Request and Certification Form (Form 466-A). HCPs whose contracts have Evergreen status are reminded that they must post Form 465 and re-compete the service provider selection before the contract ends. An optional contract renewal counts as a new contract and must be selected through posting Form 465. HCP with Evergreen contract status that post a Form 465 should indicate in their line 29 service needs description their contract end date (as provided by above) and whether they are seeking new services or modifications to services received under their Evergreen contract.

Month-to-Month Service Offering: If a health care provider submits a contract that does not meet FCC requirements for a contract, it is considered to have month-to-month, tariffed service and must post FCC Form 465 and select the most cost-effective service and service provider each year. Such HCPs must file FCC Form 465 before June 1 in order to complete the required 28-day posting and be eligible to select a service provider and receive support by the July 1st start of the new funding year. Support for month-to-month service cannot start before this selection and the cost of a service termination cannot be considered in determining the most cost-effective service.

Please keep in mind that the main requirement for having a contract endorsed as evergreen is that it includes the following:

- **HCP and service provider are identified**
- **Signed and dated by both parties**
- **HCP location**
- **Service type**

• **Contract length**

3) We have not received bill documentation for the Actual Rural Rate listed on your Form 466, Line 33. Please send a recent bill stating your monthly cost for the circuit (bill date between 7/1/09 and 6/30/10), or a statement on letterhead from your service provider listing your monthly cost for this circuit.

4) Your Form 466, Line 45, indicates that you received other bids. You must provide a copy of all bids received. If your current service provider was your only bidder for service, please confirm.

Form 466-A for HCP 11197Packet # 95131:

1) Please give the complete address where Internet service is being provided.
2) We are currently reviewing this packet and require a copy of the corresponding contract for the review of the funding. You have two options:

a) If you do not currently have a contract for this packet, please respond that you have no contract on file, and we will process your application as month to month service.

b) If you do have a contract, please forward it to RHC within 14 days. If we do not receive anything from you within 14 days of this email, RHC will proceed with the original documentation and process your application as month to month service.

Evergreen Contract: For the life of the contract (without any optional extension), you need not re-compete the service(s) identified above, or post Form 465, and may annually apply for support of the contracted service by filing the Funding Request and Certification Form (Form 466) and/or the Internet Service Funding Request and Certification Form (Form 466-A). HCPs whose contracts have Evergreen status are reminded that they must post Form 465 and re-compete the service provider selection before the contract ends. An optional contract renewal counts as a new contract and must be selected through posting Form 465. HCP with Evergreen contract status that post a Form 465 should indicate in their line 29 service needs description their contract end date (as provided by above) and whether they are seeking new services or modifications to services received under their Evergreen contract.

Month-to-Month Service Offering: If a health care provider submits a contract that does not meet FCC requirements for a contract, it is considered to have month-to-month, tariffed service and must post FCC Form 465 and select the most cost-effective service and service provider each year. Such HCPs must file FCC Form 465 before June 1 in order to complete the required 28-day posting and be eligible to select a service provider and receive support by the July 1st

start of the new funding year. Support for month-to-month service cannot start before this selection and the cost of a service termination cannot be considered in determining the most cost-effective service.

Please keep in mind that the main requirement for having a contract endorsed as evergreen is that it includes the following:

- **HCP and service provider are identified**
- **Signed and dated by both parties**
- **HCP location**
- **Service type**
- **Contract length**

3) We have not received bill documentation for the Actual Rural Rate listed on your Form 466-A, Line 29. Please send a recent bill stating your monthly cost for the circuit (bill date between 7/1/09 and 6/30/10), or a statement on letterhead from your service provider listing your monthly cost for this circuit.

4) Your Form 466, Line 45, indicates that you received other bids. You must provide a copy of all bids received. If your current service provider was your only bidder for service, please confirm.

If you have any questions please do not hesitate to contact me.

Thanks,

Hazel Diaz
Reviewer, Rural Health Care Division of USAC

P: (973)581-5028
F: (973)599-6514
hdiaz@rhc.universalservice.org

Note: USAC RHC mailing address has changed. Effective immediately, mailed items should be sent to:

Rural Health Care Division

30 Lanidex Plaza West

Parsippany, NJ 07054

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